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# REPLY

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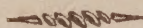
LETTER CIRCULATED BY Mr. SIMMONS,

containing

**Charges against the House-Surgeon**

of the

*Manchester Infirmary.*

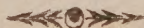


ADDRESSED TO THE TRUSTEES OF THAT CHARITY,

BY

**JOHN HUTCHINSON,**

Member of the Royal Medical and Natural History Societies of Edinburgh, &c.  
and House-Surgeon to the Manchester Infirmary.



Falsus honor juvat, et mendax infamia terret,  
Quem, nisi Mendosum et Mendacem ?

Hor. Epist. Lib. I. Ep. xvi.



*Manchester:*

PRINTED BY S. RUSSELL, DEANSGATE.

1804.







TO THE

*Trustees of the Manchester Infirmary.*

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GENTLEMEN,

A LETTER has been circulated by Mr. Simmons, containing the charges he was pleased to prefer against me at the Weekly Board. From the manner in which this Letter is written, and the many confident assertions which appear in it, those Gentlemen who are not in the habit of attending the Weekly Board, may receive impressions highly injurious to me; I deem it necessary therefore in vindication of my character, to lay before the Trustees such facts as appear to me best fitted to obviate the evil tendency of Mr. Simmons' representations, and at the same time to call their attention to such parts of his own conduct as I trust they will think have not been undeservedly censured. To a person unacquainted with the transactions that have lately taken place at the Infirmary, Mr. Simmons' Letter may appear as if published "in compliance with the wishes of the Board;" the confidence too with which he asserts that "I have admitted the leading points of his charges" may induce many to believe that I am really guilty of what he has accused me of.—The following statement however will I trust rectify every misconception of this kind, and evince to the Trustees what has really been my conduct as House-Surgeon to their Infirmary, and what the conduct of him, who has thus compelled me to appear before them.

Very early after my election to my office at the Infirmary, I had occasion to observe that spirit of persecution in Mr. Simmons which has since caused me so much disquietude; little more than six months had



elapsed, before he began to convert trifling omissions, such as must ever be considered as unavoidably incident to my situation, into serious charges against me. It was not however till the year 1802, that his behaviour became so oppressive, as to oblige me to appeal to the Weekly Board for redress. I then requested, that my conduct might be minutely investigated, and that Mr. Simmons might be called upon to advance the facts on which he grounded his general insinuations against me. At that period as well as at the commencement of his present attack, he thought fit to substitute general assertions for matter of fact; and when a Medical Committee\* was appointed by the Board, to hear the proofs he had to offer of my ill conduct: instead of adducing them as he had pledged himself to do, he did not even honor the Committee with his attendance.

The reason he has since given for this conduct, is singularly curious; the Board refused to admit (and doubtless not without reason) his simple affirmation as proof, and therefore it prevented him from attending the next Monthly Consultation; or, to use his own language, “It was this denial of my testimony, and not any want of materials to bring forward that prevented me from attending the next monthly consultation according to my own appointment, and which has kept me from every succeeding monthly consultation; for it must be a mere chance if I could adduce the testimony of a third person in any case, and therefore I thought it would be useless to proceed.” Cannot a patient then bear testimony whether or no he has taken a medicine? Cannot the nurses bear testimony whether or no they have given it him? Cannot the Apprentices or Pupils who accompany Mr. Simmons to the bedside of the patient and are with him at the very time he detects an error, bear testimony, whether or no “*not a single thing has been done.*” Mr. Simmons’ facts were susceptible of all these modes of proof, and yet, says he, “it must be a mere chance if I could adduce the testimony of a third person in any case, and therefore I

\* The resolution passed by the Medical Committee on this occasion will be seen in the Appendix, No. I.



"thought it would be useless to proceed." Such a system of conduct I apprehend will be much better explained on the supposition, that he had then no evidence to produce; or that his facts were at that time too recent to admit of the high colouring, which he has since thought fit to bestow upon them.

From that period down to the present day, his attempts to destroy my character with the Trustees have been often repeated, though uniformly without success; indeed so unremitting have been his efforts in this way, that I believe he risks not being contradicted, when he says, "I am afraid the Board has long thought me but a troublesome guest." How far the charges he has lately circulated against me have been substantiated, and in what degree "*the leading points in them have been admitted*" by me, the Trustees after reading the defence I delivered at the Weekly Board will be best able to judge. Forty or fifty of the most respectable Gentlemen in this town, have at one time or other been present during the discussions to which his charges gave rise; the impression which my defence made on their minds, and the sentiments they entertained of Mr. Simmons' conduct, will readily be seen by perusing the Resolutions which by permission of the Weekly Board I am now authorized to publish.

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## RESOLUTIONS OF THE WEEKLY BOARD.

August 13, 1804.

### *Present*

*J. L. Philips, Esq. (Chairman) Dr. Barnes, R. Barlow, R. Broomhead, C. F. Brandt, J. Belcher, T. Dalton, J. Derbyshire, P. Ewart, B. Gibson, J. Hibbert, T. Harris, J. Jackson, E. Kenyon, G. A. Lee, J. Norbury, G. Philips, B. Potter, sen. J. Railton, J. Stonehouse, J. Sylvester, J. Touchet, C. Wood, R. Wood, S. Wood, J. Whittenbury, and D. Yates.*

"This Board having heard at great length and in several successive sittings, the complaints brought forward by the Surgeons of these Charities against the House-Surgeon, and his answers to them, resolves,



I. That having met here solely as Trustees of these Charities, this Board wishes as much as possible to divest itself of all personal attachments and feelings; and to judge respecting the questions and parties which have come under its cognizance, merely as they affect the public, and as they are connected with the interest of these Charities.

II. That the particular charges brought by the Surgeons against the House-Surgeon, do not appear to this Board to have been proved, so as to bring home material blame to the House-Surgeon; they having been in general traced to the Apprentices and Nurses, among whom with every possible degree of attention on his part, there will necessarily be in so large a concern, and amidst such a multiplicity of cases, some inadvertencies, mistakes and omissions. These the House-Surgeon appears in the cases alleged to have noticed and rectified as far as he could when they were discovered.

III. That this Board considers such attempts as have been made by Mr. Simmons to lessen, or overthrow the respectability, or authority of the House-Surgeon, in the estimation of the Apprentices and Pupils, as highly injurious to the interests of these Charities; being subversive of that system of good order and responsibility, which it is the duty of the Board to support."

By order of the Board,

J. B. STEDMAN, Secretary.

These are the principal resolutions which relate to my own conduct, and to that of Mr. Simmons; and it really surprises me that in publishing letters which can only be considered as the vehicle of his present sentiments, Mr. Simmons should, after such pointed decisions, still persist in saying, that I have "*admitted the leading points of his charges*," or that those which I preferred against him "*are without foundation*." Such assertions can have no other tendency but to injure my professional character, and to reflect upon the judgment and impartiality of the Trustees; how far they are warranted by facts, I shall now proceed to shew: I shall first give a copy of my defence which induced the Board to decide as they did; and in the Appendix I shall add



the testimony of the young Gentlemen on whose authority the third resolution of the Board was founded, respecting the propriety of Mr. Simmons' conduct. I have only now to regret, that after a decision so very honourable to me I should still be under the necessity of refuting charges, so entirely devoid of proof; or that a proceeding on the part of my adversary, as indelicate as it is improper, should compel me to lay before the public, a defence never intended but for the Board Room of the Infirmary.

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### HOUSE-SURGEON'S DEFENCE,

Read to the Weekly Board, August 6th, and 13th, 1804,

*To J. L. Philips, Esq. Chairman.*

SIR,

Before I proceed to examine the charges preferred against me by Mr. Simmons, I must beg leave to call your attention to one part of my conduct which you cannot but have noticed since I have been in this Infirmary; I have uniformly been jealous of my good name: never has an intimation of any thing culpable in me been made, that I have not eagerly solicited an investigation. When Mr. Simmons in 1802, first charged me with general neglect of my Hospital duties, and advised a resignation to prevent disgrace, what was then my conduct? I solicited the Board that every part of my character might be scrutinized. When the Surgeons in November last accused me of dissecting dead bodies, and of indelicately interfering with their practice; I then asked if they would not make an entry of their complaints in the Medical Committee Book. When the whole body of Surgeons now comes forward and asserts my unfitness for the situation I hold, in what manner have I not courted investigation? This, Sir, is surely not the part a guilty person would choose to act, and I should have expected that such conduct would have secured me from most of the serious charges that now appear against me. Such watchfulness on my part, how-



ever, has, it appears, been of little avail, charges of neglect and error amounting to absolute murder, are now brought forward against me with all the apparent confidence of truth. Can any thing be conceived more cruel in human nature, than for a young man's character to be attacked in a manner like this? the only time when he could have a fair opportunity to vindicate himself is suffered to pass by; not even an insinuation of his mistakes or inattention is suffered to reach him, till time has plundered him of almost all his aid. Notwithstanding the disadvantages I labour under, I am not without hope, Sir, that the evidence I shall produce, will be sufficient with every candid mind to exculpate me from the serious crimes of which I am impeached; indeed in some cases I have been much more fortunate in procuring evidence than I could possibly have hoped for; in other instances where I have been less fortunate, I trust it will be attributed rather to the difficulty of procuring evidence in cases so remote, than to any culpability in my conduct.

The first charge brought against me by Mr. Simmons is, that of substituting "*Dover's Powder* a remedy in Rheumatism, for the *Bark* which the patient was taking with advantage, and this repeatedly in the intervals of Mr. Simmons' visits, and contrary to a fresh order at each visit *by which the patient lost her life.*" This charge, like many others of Mr. Simmons', rests almost entirely for its support on the ground of professional incapacity, and I hope to be excused if I say, that I conceive it to be neither a fair nor generous ground for Mr. Simmons to rest any of his charges upon; he must be aware of the relation which he and I bear to each other in this Infirmary, and of the advantage which such a relation must necessarily give him over me, in discussing a question of this sort. I shall not shrink however from the ordeal he has prepared for me, but shall proceed to state the facts which his own Book\* has enabled me to collect.

\* In the Books referred to, are entered the medicines which the Surgeons prescribe for their patients; any testimony therefore derived from such a source is indisputable, because the entries were made in the common course of business, at a remote period, and without any view to the present disputes.



Mary Kershaw, the patient alluded to, was admitted on the 3d of November, 1800, for an ulcer in the leg; on November 29th Bark was ordered for her by Mr. Simmons. On December 1st, the patient caught cold and complained much of pain in her head and loins; I ordered her ten grains of Dover's Powder to be taken every six hours, which greatly relieved her. By way of specifying the number of powders I wished her to take, I marked down in the Book that three powders only were to be sent up. Mr. Simmons saw her the day following, ordered a lotion which had been prescribed the preceding day, immediately beneath the powder to be omitted, and the other medicines to be continued, but took no manner of notice respecting the powder. He saw her again two days afterwards, but still there is no evidence either of his own medicine having been omitted, of the Dover's powder having been repeated, or even of Mr. Simmons' wish that it should not be continued: on the contrary it is evident from his Book, that the Bark from which he expected such great benefit was persevered in, even in increased quantities, till the day of the patient's death, which happened on December the 7th, 1800. The observations I have to make on this case are as follow.

Had the powder been taken as repeatedly as Mr. Simmons states it to have been, he ought not to deem it accessary to the death of the patient, for the principal ingredient in it was opium, and this the patient took throughout the greatest part of the disease in pursuance of Mr. Simmons' own directions. Had I repeatedly in the intervals of Mr. Simmons' visits acted in direct opposition to his express orders, as he says I did; what prevented him from laying a statement of my perverse conduct, before the *next* Weekly Board, which he avows the rules of the Hospital required; such open contempt of a Surgeon's authority in a young man just come to the Hospital, was certainly a proper object for very severe censure. Had Mr. Simmons at that period entertained any idea that I was accessary to this patient's death, how came he to omit mentioning it, when I appealed to the Board in 1802? at that time he was very desirous to attribute the loss of a patient's life to my negligence, but not having a single case in point among his own patients,



he was obliged to have recourse to those of his colleagues. It will I doubt not be remembered by many Gentlemen now present, in what strong terms he then asserted, that a patient of Mr. Hamilton's, had in consequence of my neglect died from loss of blood; that Gentleman happened to be present, and on being appealed to by the Board, immediately expressed in the most unequivocal manner his disbelief of any such occurrence. This fact serves to shew with what caution the Board should admit any assertions that would prove me guilty of the death of a fellow creature, or bias their judgment in a point so important to my character and future peace of mind, unless accompanied by the most satisfactory proofs.

The next accusation brought against me is, that  
 “ when the dreadful fire happened at Gaythorn, by  
 “ which so many lives were lost, Mr. Simmons came on  
 “ the morning of the third day after the patients had  
 “ been admitted, when the symptoms were becoming  
 “ alarming, and gave directions concerning their several  
 “ cases; he came again in the evening to see what effect  
 “ his directions had had, when he found that *not a single*  
 “ *thing had been done*, and that the House-Surgeon had  
 “ gone to see another fire then raging at Knott Mill!”  
 Now, Sir, if the Books be referred to on this occasion, they will prove in the most satisfactory manner, that what Mr. Simmons has asserted cannot possibly be correct; unless he will take upon him to dispute the very evidence which the well known method of transacting the business of the Shop and Hotpital affords. In order that the blame may attach to the proper person, when any error is committed in the Shop, it is an invariable rule that whoever dispenses a medicine; shall affix his private mark to the prescription, after it has been attended to. If therefore a prescription is overlooked in the former part of the day by one Apprentice, and the Surgeon comes and prescribes in a subsequent part of the day, and his prescription is attended to by another Apprentice; this latter Apprentice, unless there is a fresh date, dispenses all the medicines that are ordered subsequent to the last private mark, whether it be his own mark or that of another, and the whole medicines ordered on that day, though ordered at different times, are then



dispensed, and have only one private mark beneath them, namely, the mark of him that attended to the last prescription. Now if the Books be referred to, it will be evident that every prescription of Mr. Simmons' of the morning of the 29th of January, 1801, the period alluded to, had been dispensed by Mr. Bagnall, as his mark (\*) shews, and that had there been any omission, Mr. Ainsworth's mark (‡) which was subjoined to the evening's prescriptions, should have been the only one that ought to appear in the business of that day. Mr. Simmons may admit (for indeed it appears impossible to avoid it) that the medicines may have been sent up from the Shop, but that it does not follow they were administered. Such a supposition however would not only exceed all credibility, but there is in the prescriptions sufficient internal evidence to render it inadmissible, for some medicines ordered in the morning are by the evening's prescription implied to have been used. How then can Mr. Simmons take upon him to affirm, "*that not a single thing was done?*" the proof to the contrary is complete, though you will perceive Sir, on what limited ground I have to search for evidence: would it have been surprising if at this distance of time, testimony founded on so nice a point had escaped my reach? I trust, therefore, that after having adduced such complete proof as in this, and the former case, in others where evidence is less satisfactory, something will be presumed in my favor.

One case of a woman labouring under oppressive respiration, is singled out from the many, as particularly making against me. I know not what Mr. Simmons means exactly that it should prove; whether he intends to say, I should have used my own judgment, and have drawn blood from the patient; or that he had ordered the operation of blood letting in the morning, and it was not performed till the evening; or that from my absence the business of the Charity could not be carried on, without his being obliged to call in Mr. Thompson, who may be considered as a person extra official. If he says, I should of my own accord have bled the patient, I think after the havoc he has accused me of making among his patients, and the proclamation he



has made of his own diligent attendance, such a charge comes from him with a bad grace. If he means to say, the patient was not blooded according to order, then I have plenty of evidence to prove him mistaken. The patient was seen thrice on that day, and venesection was ordered at the middle visit, which from other circumstances I know to have been made about 3 o'clock in the afternoon. If, therefore, there was an omission of this kind, he must have rectified it at his evening visit, and again enjoined bleeding; but Mr. Thompson, the physicians' clerk, assures me, that he received no impression in his visit with Mr. Simmons of there having been any omission, and that he considered it to be the order of the moment he was about to execute, and not one that had been given before. Nay, he is farther ready to affirm, that the woman he was about to bleed, was an elderly woman, that had been admitted that very day; and by examination of the Books, it will be seen that this could be no other person than Ann Sands, who was afterwards discharged cured. From this it will appear evident, that Mr. Simmons has not only mistaken the patient, who was the subject of bloodletting on the evening alluded to, but that he has also mistated the event of the case; Ann Sands, was blooded after labouring under oppressed respiration, she was discharged cured on March 9th, 1801; the delicate association therefore between omission of bleeding and subsequent death, which Mr. Simmons has formed in his charges, is not strong enough to resist matter of fact. If he is determined to criminate me in this case, he must have recourse to professional remissness, which, as I before observed, is an argument he is scarcely at liberty to use, after what he has said of my indelicate interference, and his own diligent attendance. Should Mr. Simmons wish to rest his accusation upon the third point I have mentioned, that of his being obliged to call in Mr. Thompson, then he will find it utterly untenable. Mr. Thompson is now ready to affirm, in direct opposition to Mr. Simmons' statement, that he never did bleed the patient, and that he had scarcely entered the Ward with Mr. Simmons, before Mr. Ainsworth made his appearance. Having left the Infirmary, as Mr. Simmons stated, at 7 o'clock



in the evening, I returned to it about a quarter past eight; and after having visited the Wards, waited upon Mr. Simmons for the purpose he mentions. I had a good deal of conversation with him about the Coroner's inquest, but as he properly observes, "not a single word did I say respecting the patients." The reason of this, Sir, is very obvious, and the best of all reasons I could possibly give; I knew nothing at all of the matter! it was neither intimated to me by my Apprentices, nor yet (what is still more surprising) by Mr. Simmons himself, that any thing had been neglected, I could have no possible motive, therefore, to bring forward the subject.

The next charge brought against me is, that of being absent after an operation on the cheek, when Mr. Simmons was to attend. It is a thing unheard of, Sir, for any Surgeon of this Infirmary to appoint an hour to meet the House-Surgeon, where his assistance is not necessary, particularly in such a case as the present, where nothing but an Anodyne draught was to be ordered. Mr. Simmons conceives the 71st Rule will here criminate me, I apprehend not, for did it admit of the construction he gives it, it would be tantamount to an injunction on the House-Surgeon, never for one moment to leave the Infirmary, an injunction, I trust, that few of the Trustees would blame me, did I fail to observe.

The next charge against me is, the case of incurable Cancer, where *Neutral Julep*, ordered at noon, was not administered till 10 o'clock the same evening. This has already been explained to the satisfaction of the Board; I shall only now repeat it on account of those Gentlemen, who were not present at the time it was first brought against me. Mr. Simmons desired me to order the Neutral Julep, with five drops of Laudanum in each dose at noon. I did so, as the Books will testify. I left the Infirmary at two o'clock, to take a family dinner in Princes-street. I returned at five, and in the course of the evening, having occasion to go into the Shop, I observed the Julep in part finished, and standing in what we term the Women's End; I reprimanded the Apprentice for not having finished it, when in extenuation of his error, he replied, that he could not get any Lemon Juice, as I



was absent, and had the key in my pocket. This is the argument Mr. Simmons made use of to criminate me, though it is obvious from what I have said, that I did not leave the House till two hours after the medicine had been ordered.

I am now arrived at that period, when I was induced by Mr. Simmons' behaviour to me, to appeal to the Weekly Board, the result of this appeal is sufficiently notorious without my troubling the Board with it at present; I am surprized, however, that Mr. Simmons should deem the decision of the Board, a sufficient excuse for his not appearing before the Medical Committee. Though the Board could not see grounds for believing his simple assertion, how does it follow that the Medical Committee, which was formed of Gentlemen, distinct from the Board, and to which he himself had, according to his own account, appealed; how does it follow, I say, that they should also refuse to admit his assertion, more especially, when supported by the proofs he had to offer? The facts he had to bring were then recent; the Nurses and Apprentices, could then have spoken as to their truth with confidence; there would then have been evidence in abundance, had Mr. Simmons been desirous to obtain it. No other fair inference therefore can be drawn from his absenting himself on that occasion, but that he was conscious that any body of liberal men, of whatever denomination, would decide in opposition to his wishes.

I shall pass over the long dissertation on responsibility, and notice the story of my "strumming on the Piano Forte," only by observing, that it was told me a considerable time ago by Mr. Ainsworth. On being reminded of the circumstance, I do not even now remember it, but Mr. Ainsworth assures me, it was Mr. Watts that was strumming, and not myself; for as Mr. Simmons proceeded up the stairs, I was met by him and Mr. Ainsworth, at the top of the stair-case, and when I had passed them, I am informed Mr. Simmons observed, with a sneer, "The House-Surgeon has a perfect Levee this morning."

The next charge I come to is, that of destroying a man who was just recovering from mortification, by



administering to him a purge. I will not comment upon the cruelty, or unfairness of such a species of attack, I will confine myself to the bare recital of facts. Every Medical man knows, that when a dead part, is about to separate from a living part, and particularly where there are large blood vessels, that there is much danger of hæmorrhage; it is also notorious that *Bark* is a medicine, which, when given in large quantities, is apt to affect the bowels. Now in the present case, both these causes might be supposed to operate, and in Charity they ought to be deemed sufficient to account for the patient's death, without so serious an occurrence being imputed to my mismanagement. Mr. Simmons acknowledges that the bleeding came on at that period, when the dead parts were separating from the living; the Book too will testify that the patient took large quantities of *Bark*; indeed Mr. Simmons seems to have been apprehensive at the time he ordered this medicine, that it might affect the bowels, for he directed five drops of *Laudanum* to be given with each dose of it. But besides this, the quantity of blood lost by the patient was so trifling, that it was only perceived in removing the dressings. These circumstances alone considered, would be sufficient with every candid mind to exculpate me from the charge of occasioning this man's death. But besides these, I have a much stronger argument, I never to the best of my recollection ordered any medicine whatever for this patient; there is no vestige of such a medicine having been ordered in Mr. Simmons' Book; there is no vestige of such a medicine having been ordered in my private memorandum Book, a Book in which it will be seen that the most trifling medicines prescribed by me, from day to day, at that period, were regularly entered; I am justified, therefore, in maintaining that, unless Mr. Simmons will advance the most positive proof to the contrary, that I never did order the medicines to which he has attributed such direful effects.\* In a court of

\* The memorandum Book alluded to, was produced at the Weekly Board; and in opposition to such strong negative testimony, Mr. Simmons could only assert, that I had told him I gave the patient some *Castor Oil*: This of course I denied, for after the proof I had adduced to the contrary, it seemed next to impossible that I could have done so.



justice the *onus probandi* generally rests with the accuser, in the present charges it has been thrown entirely upon me. Mr. Simmons alone is the person who by so long delaying his charges, has rendered the access to proof difficult, and it is he alone who ought in justice to bear the disadvantages of such delay. As to the *Cordial Drops* he speaks of, it appears by his own confession that they had been sent up: the Book will shew that the patient had not at the utmost an opportunity of taking more than one dose, which was a teaspoonful, for the drops were ordered by Mr Simmons to be discontinued the very same day on which they were prescribed. What corroboration the dying man's testimony could receive from the Shop, I am at a loss to conceive, for the young men there are utterly unacquainted with the time, and manner in which medicines are administered above stairs.

The case next in order is, that of the Soldier who died of *Locked Jaw*. Mr. Simmons says, he did not see him for *several* days after his admission; the fact is, the patient was admitted on the Saturday afternoon, and the Book will shew that Mr. Simmons saw him on the Monday morning. I did not send for Mr. Simmons, because I did not conceive it necessary, I treated the case to the best of my judgment, and were a similar case to occur to-morrow, and it were again left to my management, I should treat it precisely in a similar manner. Dozens of cases of much worse appearance than this have been admitted, and treated by me without Mr. Simmons ever impeaching my judgment, or intimating that he should have been sent for. He speaks of ligaments being torn, of the joint being exposed, and of the bone being fractured into many pieces; yet by his own confession he never even suspected such things to have taken place till Locked Jaw had come on. Why he should blame me, for not perceiving on the first day, what he himself never so much as suspected till the sixth, or how he could have justified to himself Amputation in the first instance, when the very facts which should have been the grounds for such an operation were by his own confession unknown to him till six days afterwards, I leave to himself to ex-



plain.\* I need scarcely observe, that it appears to me neither generous, nor proper, to bring such facts as these before a Board like this. Whatever the decision of this assembly may be, the very report of such allega-

\* The relation I bore to Mr Simmons in the Infirmary, prevented me at the time I read this defence to the Weekly Board, from combating his inferences on professional grounds; I am now however freed from any such restraint, and may therefore make some comments on the reasoning, and treatment he has thought fit to adopt in this case, especially as he seems to consider them, the sole criteria by which my own conduct is to be judged.

The first observation I have to make on this man's case is, that on his admission there was not the least appearance of dislocation; nor was there any reason to suspect, either from the patient's own account, or from the account of those who attended him that there had been any; on the contrary, with the assistance of another person he walked up to the Infirmary. Under such circumstances, therefore, I deny the possibility of the Anterior Ligament of the Ankle Joint being lacerated, nor do I know on what authority Mr. Simmons has asserted it, for the leg was not examined after death. As to any knowledge that Mr Simmons could obtain from an examination six days after the injury had been received, and when great devastation had been made among the parts by gangrene, I think that little reliance can be placed upon it; and as to the doctrine which teaches that Locked Jaw arises from lacerated tendons or ligaments, I am surprized that any practical Surgeon could for a moment embrace it; he must know that it has long been considered by the first Medical characters as irreconcilable with facts.

But granting that the Ankle had really been dislocated, was this sufficient to justify Amputation? I should have thought myself highly deserving of censure, had I in opposition to the experience and practice of the most celebrated Surgeons, and Hospitals in the Kingdom, ever entertained such a view of the case. It was nothing to me what Mr. Simmons' private opinions on the subject might be, it was my duty to act solely by my own professional notions and experience till Mr Simmons saw the patient; this I did, and I conceive that most professional men will justify my treatment of the case, and that where no idea of Amputation was entertained, they will think evacuations, a Saturnine Cataplasm, and an Anodyne Draught, the most proper remedies that could have been used. Since this case occurred, a man has been brought into the Infirmary, for a compound dislocated Ankle of the worst kind imaginable; Mr. Simmons attended the consultation on the case, yet the limb was not taken off; on the contrary, the patient left the Hospital for country air, under every prospect of a cure. This affords me strong grounds for believing that it is not Mr. Simmons' uniform practice to remove the limb under such circumstances, and I can assert that it is not the practice of this Hospital; since my residence in it, I have seen at least four or five cases where the Ankle had been dislocated, and where either the *Tibia* or the *Fibula* protruded, yet in none of these cases was the Surgeon sent for in the first instance, or the leg consigned to Amputation; on the contrary, the patients in a longer, or shorter time, according to circumstances went out cured. Had it been the custom of the Hospital to have



tions having been made against me, must in some degree be injurious to my professional character. Were I to attack any Surgeon of this Hospital, on such grounds as I am now attacked, I have no hesitation in affirming, that I could bring much more plausible facts to establish professional errors in them, than what now are brought forward to criminate me.

I now come to the case of *concussion of the Brain*, and I must confess that I have no recollection of any part of it, but what relates to the dissection. I remember when the inspection of the Brain took place after death, expressing my surprize to Mr. Simmons, that there should be so little extravasation, when the symptoms during life, would have led us to expect a great deal: I do not remember that he made any reply, but had there been so much inflammation as is stated, I think, I need not have sought for any other cause to have accounted for the event of the case. As to the failure in bleeding, it is what sometimes happens to the most skilful operators, for in such cases as the present, owing to the languor of the circulation, the patient will not admit of bleeding on one day, though he will bleed very copiously the next: this I imagine was what occurred in the present instance, and as six ounces was according to the Book the quantity of blood ordered to be drawn, I think that the omission of drawing such a trifling quantity in so serious a disease as inflammation of the Brain, will not with any medical man be a fact to ground the loss of life upon. But Mr. Bagnall who was at that time every thing to Mr. Simmons, and in whose hand-writing the order for bleeding was entered,

sent for the Surgeon in such a case, I should certainly have done it, but it was not; I had only, therefore, my own judgment to act upon, and in what degree this was exercised improperly, or in opposition to the practice of the Hospital, and good Surgery, I now leave the public, and the Medical profession to judge: I have only to add, that I should not have been so particular in my comments on this case, had I not been given to understand, that a Medical Gentleman from whom I should least have expected it, has been peculiarly active in his endeavours to give it an importance in various circles, to which it is by no means entitled.



is of opinion that I never had any thing to do with this patient.

The next case, and indeed the principal one, which I conceive Mr. Simmons to have brought forward, is, that of Marsden, the man who had been operated on for Cataract. Mr. Simmons saw him in the morning, and found that he required bleeding, he ordered a Pupil to bleed him, which was done immediately; he ordered as he says, two other active remedies, the one a *Blister* to be applied to the neck immediately, the other a *Purge* to be taken the next morning, and not that day; as Mr. Simmons states in his charge. The prescription that ordered these things was that day overlooked in the Shop; the man had not his *Blister*, therefore, till the next morning, as to the *Purge* it was given at the time directed, for the omission was observed at the time it should have been administered. The only inference to be drawn from this case then is, that a *Blister* which should have been applied on one day, was not applied till the next; I confess the other two remedies might have been missed, but what might have been is scarcely a fair ground for accusation, especially in such an Hospital as this\*.

The next fact brought against me is, that of a *Stone* patient bleeding to death; now, had it been really the case, that this patient lost his life through effusion of blood, there is no circumstance attending the case which justifies Mr. Simmons in laying his death at my door. I saw the man immediately after the operation; I saw him at one o'clock, and I saw him again at two o'clock, and at none of these times had I any reason to believe him in a state of danger. At two o'clock, I went to Mr. Gibson's Anatomical Lecture, and left Mr. Simmons' Pupil in the room, who had been ordered by his master to watch the patient. Mr. Gibson's Lecture Room is not much more than 100 yards from the Infirmary, so that had there been occasion for me, I could have been brought as soon as if I had been in the Infirmary walks. Precisely at three o'clock I returned to the Infirmary;

\* Since my residence in this Infirmary, I have been responsible, for at least thirty thousand patients.



and finding a letter for me I was reading it, when a message came that Mr. Simmons wanted me up stairs ; I attended, and we secured 5 or 6 bleeding vessels, after an hour and a half's search. The man was never sick during the whole of the time, nor did he exhibit a single symptom of having lost more blood than his constitution could bear. Indeed in the course of the evening, his pulse was so strong that when he was attacked with pain in the belly, bespeaking incipient inflammation, I mentioned to Mr. Simmons the intention I had had of applying Leeches ; but he contented himself with employing a fomentation to the part. Never after this, did the man's pulse rise again, the pain in the belly continued to be more or less severe, vomiting next came on, then hiccuping ; a *Blister* at my suggestion was then applied by Mr. Simmons to the abdomen, and this, with the fomentation, clearly indicates what was really the view Mr. Simmons entertained of the case. All attempts, however, to preserve the patient's life were useless, he died on the third day at noon, and not on the second day, as Mr. Simmons has stated. I have no doubt in my own mind, and Mr. Simmons' treatment clearly proves, that at that period it was his own opinion, that this man's death was occasioned by *Inflammation and Mortification*. If I had been in my room, nay, if I had been even at the patient's bed-side, during the whole hour I was at Mr. Gibson's Lecture, it is extremely probable that the same thing would have happened. Till I came to this Infirmary, I never saw such a thing as a blood vessel secured after the operation of Lithotomy. The principal Surgeon of this town, who has performed this operation oftener than any man now living, and who has acquired great celebrity for his success in it, I am informed seldom if ever uses a ligature after cutting a patient for the Stone. The principal writers on Lithotomy all agree, that no material injury should ever accrue to a patient from loss of blood after this operation ; It must not, therefore, be presumed, that I deny Mr. Simmons' conclusion on my own authority only, if I maintain that in this case, had the patient really died from loss of blood, I am not the person culpable.

The last case of which I am accused is, that of making an incision into a child's Head, to ascertain the state



of the Skull. The child was admitted by me on account of an injury of the head; to ascertain the nature of this injury, I made an incision into the scalp, I found the skull much fractured, and a large blood vessel ruptured; the blood which had been previously collected, on my making the incision, immediately rushed out in a torrent, the lips of the wound were closed, and the bleeding easily stopped by pressure. I left Mr. Bagnall with the patient, and went down to the Library to wait the coming of the Surgeons; for the Library is the place, where on such occasions it is usual to meet. Mr. Simmons came, I told him it was a hopeless case, he went up stairs and examined the child, she died before she was out of his hands. In such a case, to have shaved the head would have been useless and impracticable, for the fracture was on the forehead, and pressure was obliged to be continued on the part, till the arrival of the Surgeon.

The only charge now remaining for me to notice is, the state of the Shop. Mr. Simmons seems in his charge to insinuate, and indeed he has since directly affirmed it, that between the time of the Board making their request, and the visiting Apothecaries making their report in 1802, I had recourse to the unworthy subterfuge of huddling in medicines to the Shop, from two Druggists' Shops in Manchester. It will easily be seen by an inspection of the Druggists' accounts at the period alluded to, what grounds Mr. Simmons has for this inconceivable charge; it will be seen that he could not have fixed upon a more unlucky interval to support his charge than the one he has chosen, for in no equal interval, has there been less Medicine purchased from the Druggists' Shops in Manchester; from the third of June till the twelfth, only two articles having been ordered. As to the 69th Rule, which enjoins, that all Medicines shall be purchased from Apothecaries Hall, in London, it has long ceased to be acted upon; the articles were found much dearer, and not at all better than those purchased of any respectable Druggist. In furnishing the Shop, I have pursued the tract which my predecessors found most for the interest of the charity, and it is of little moment where articles are purchased, if they are had at a reasonable rate, and of good quality.

I have now gone through the whole of Mr. Simmons'



charges, that seemed to me of any importance; his observations upon former decisions of the Board; his long digression on responsibility; and his general insinuations against my professional ability, I have all along considered as matters totally irrelevant to the subject under consideration. What relates to his own conduct, now no longer rests with me; the Trustees are in possession of the evidence, on which I grounded my charges against him in my former memorial, and with them it rests to determine how far such conduct in any Surgeon of their Charity is to be permitted. I have only now to request that if in my defence, any unbecoming expressions have escaped me, they may not be imputed to design, but solely to those feelings which under such accusations, it is almost impossible for human nature to command.

I have the honor, &c.

JOHN HUTCHINSON.

Infirmary, August 6, 1804.

This, Gentlemen, with the exception of the Notes I have since found it necessary to add, is the defence I delivered at the Weekly Board against the charges of Mr. Simmons; whatever reply that Gentleman may in future choose to make to these my remarks, I shall not feel myself called upon to notice it: you are already in possession of all that I have to say on the subject, and with you it rests to confirm at the next General Board, the resolutions already passed in my favour by a most respectable Weekly Board; which did not thus decide, till after several successive sittings, and a very minute and impartial investigation of the subject. I am not conscious that in my defence, I have used a single assertion, that I am not able to support by the most satisfactory proof; with the hope, therefore, that my character will appear to you in no degree more deserving of censure, or less worthy of respect, than would the character of any man, whose conduct has undergone so severe a scrutiny as mine has done, I have the honour, Gentlemen, to subscribe myself most respectfully,

Your very faithful, and obedient servant,

JOHN HUTCHINSON.

Infirmary, Sept. 13, 1804.



# APPENDIX.



(No. 1.)

## RESOLUTIONS OF THE MEDICAL COMMITTEE.

May 5, 1802.

*Present*

*Dr. Percival, Dr. Ferriar, Dr. Bardsley, Dr. Jackson, Dr. Taylor, Mr. Bill, Mr. Killer, Mr. Ward, Mr. Hamilton, Mr. Henry, and Mr. Boutflower.*

In consequence of a request from the Weekly Board, to enquire into the charge of misconduct in the House-Surgeon and Apothecary, as preferred by Mr. Simmons,

*Resolved unanimously,*

That the conduct of Mr. Hutchinson the House-Surgeon, to the Physicians and Surgeons, and to their patients, has been such as to merit the approbation and confidence of the Faculty; and that the general management of the Shop, as far as it has come within the sphere of the observation of the visiting Apothecaries, has merited their approbation.

The Meeting takes this opportunity of recommending to the Weekly Board, the revival of the Appointment of an Assistant Apothecary, on account of the great increase of business in the Shop.

THOs. PERCIVAL, *Chairman.*

Not having had it in my power to attend the Medical Committee, I beg leave to testify my entire concurrence in the Resolutions adopted at this Meeting.

EDWARD HOLME.

May 5, 1802.



# APPENDIX.

(No. 2.)

## *Examination of the Apprentices.*

Before proceeding to state the evidence on which the Weekly Board founded their censure of Mr. Simmons, it may be necessary to premise, that in August, 1803, the Apprentices and Pupils felt aggrieved that some Resolutions had been passed by the Weekly Board, and Medical Committee which excluded them from unlimited access to the Library. One of my Apprentices (Mr. Bagnall) in going round the Infirmary with Mr. Simmons, asked his opinion respecting the right of the Pupils to the use of the Library; Mr. Simmons told him, if he would call at his house, he would give him some written instructions on the subject. These instructions it appears, instead of relating solely to the object the young Gentlemen had in view, contained a variety of charges against the House-Surgeon, which in the Memorial sent to the Weekly Board, they from a principle of honour and justice omitted. A remnant of Mr. Simmons' Memorial has been produced, and this with the following examinations brought on at Mr. Simmons' solicitation, has served to guide the Board in their decision on his conduct.\*

\* None of the young Gentlemen here examined, are in any way at present connected with the Infirmary, they cannot therefore be supposed under the influence of any motive, but that of a desire to speak the truth.

## WEEKLY BOARD.

Present between forty and fifty Trustees.

*Mr. James Ainsworth examined by Mr. Hutchinson.*

1. Did not Mr. Ainsworth observe that Mr. Simmons availed himself of frequent opportunities, to endeavour to render Mr. Hutchinson contemptible in his eyes?

Answer. *I certainly believe he did.*

2. Did not Mr. Simmons, during Mr. Hutchinson's absence, when Mr. A. officiated for him, draw up a Memorial for the Students, containing many charges against Mr. H. with an intention that the same should be presented to the Board?

Answer. *Mr. Simmons certainly did draw up such a Memorial, but whether at the time that Mr. Hutchinson was absent or not, I cannot say.*

3. Was it not then intimated to Mr. Ainsworth, by Mr. Bagnall, at the acknowledged instigation of Mr. Simmons, that he (Mr. Ainsworth) would make a good House-Surgeon?

Answer. *Yes.*

4. Did not the Students erase many of the charges in the Memorial alluded to, because they were ill founded?

Answer. *Yes.*

*Mr. Bagnall questioned by Mr. Hutchinson.*

1. Did not Mr. Bagnall observe, that Mr. Simmons availed himself of frequent opportunities, to endeavour to render Mr. Hutchinson contemptible in his eyes?

Answer. *Yes.*

2. Did Mr. Simmons draw up a Memorial for the Students, to be presented by them to the Board, containing many charges against Mr. Hutchinson?

Answer. *Yes.*

3. Did not Mr. Bagnall at the suggestion of Mr. Simmons, intimate to Mr. Ainsworth, that he (Mr. Ainsworth) would make a good House-Surgeon?

Answer. *Yes.*

4. Did not the Students erase many of the charges in the Memorial alluded to, because they were ill founded?

Answer. *Yes.*



## APPENDIX.

### *Mr. Bagnall questioned by Mr. Simmons.*

1. Did not Mr. Bagnall first ask Mr. Simmons his opinion, as to the right of the Apprentices to have free access to the Library?

Answer. *Yes.*

2. Did the House-Surgeon say after he had been ordered to make an apology to Mr. Simmons,\* that he did so as a matter of course, and that it was a feather in his Cap to have picked a Quarrel with Mr. Simmons?

Answer. *He said something to that purpose at a public Table, but I have heard him speak respectfully at different times of Mr. Simmons.*

### QUESTION PROPOSED BY THE CHAIRMAN.

Whether Mr. Simmons was asked to draw up a Memorial, or whether he did it of his own accord?

Answer. *He did it of his own accord.*

### BY MR. G. PHILIPS.

Did Mr. Simmons frequently endeavour to draw from you charges against Mr. Hutchinson, and to make you dissatisfied with him?

Answer. *He frequently spoke to me about Mr. Hutchinson's misconduct.*

### BY MR. SEDDON.

Who generally first began conversations about Mr. Hutchinson?

Answer. *I cannot tell; I was fond of accusing Mr. Hutchinson myself, and Mr. Simmons was fond of hearing the accusations, as I supposed, from his paying attention to them.*

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### *Mr. J. Hadfield Turner, examined by Mr. Hutchinson.*

Whether in the Memorial drawn up by Mr. Simmons, many charges against Mr. Hutchinson were not introduced, and afterwards erased by the Pupils and Apprentices, because they were ill founded: and whether one of those erased charges was not neglect on Mr. H.'s part to instruct the Apprentices?

Answer. *Yes.*

\* The House-Surgeon was never ordered to make any apology to Mr. Simmons, on the contrary, the Resolution of the Board stated that Mr. S.'s conduct was not to be justified.

## APPENDIX.

### BY MR. SIMMONS.

1. Whether he considered that the erased charges were afterwards to be sent to the Board?

Answer. *No.*

2. Whether the Memorial was to be considered as coming from Mr. S. or from the young Gentlemen themselves, and whether it was to be known or not, that Mr. Simmons had drawn it up?

Answer. *It was to be considered as coming from the Pupils alone.*

3. Did you understand that the House-Surgeon neglected to instruct his Apprentices?

Answer. *No.*

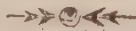
4. Did you understand that Mr. Simmons, was desired by Mr. Bagnall to draw up a Memorial?

Answer. *No—but I understood that Mr. Bagnall had first spoken to him about the Library.*

J. L. PHILIPS, Chairman.

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## APPENDIX.



(No. 3.)

In corroboration of the above, I have, while this reply was at the Press, received the following answer to a note, I addressed to Mr. Wilson; and viewing the solemn invocation under which it was given, it will, I doubt not, receive due credit with the Trustees at large.

### MANCHESTER LYING-IN HOSPITAL.

Stanley-street, Salford, Sept. 16, 1804.

DEAR SIR,

I cannot reply in a more satisfactory manner to the request which you have made of me, than by transmitting to you the copy of a note I received from Mr. Killer, along with my answer to the question which it contained.

I remain, with much esteem,

Your's faithfully,

T. WILSON.

*To Mr. Hutchinson, Infirmary.*



APPENDIX.

MR. WILSON,

I will thank you to answer the following question, truly and justly, as if giving your evidence on oath.

(Signed) R. W. KILLER.

Did Mr. Simmons ever attempt to lessen, or overthrow, the respectability or authority of the House-Surgeon to the Infirmary, in your estimation; or to your knowledge, in the estimation of the Apprentices, or Pupils, in general?

September 13, 1804.

SIR,

In answer to the question I received from you yesterday, I have to inform you, truly and justly, as if giving my evidence on oath; that Mr. Simmons has in my opinion, attempted to lessen the authority of Mr. Hutchinson in my estimation; and in the estimation of the Pupils, in general.

I am, Sir,

Your's very respectfully,  
T. WILSON.

To Mr. Killer.

THAT the Trustees may more clearly perceive what has been the line of conduct Mr. Simmons has pursued towards me, it may not be improper to give a brief *review* of it, before I finally close this reply. Mr. S.'s *first* attempt to injure me was with the Weekly Roard; his *next* attempt was through the medium of the Apprentices and Pupils; his *third* and great effort was with the co-operation of the Surgeons; all these proving unsuccessful; his *last* resource has been an appeal to the Trustees at large, who are ultimately to decide the question at the General Board on Thursday the 27th instant; in this he has circulated a very partial and unfair statement of facts, which if credited, must eventually destroy my professional character. What part of my conduct has ever justified such implacable resentment against me on the part of Mr. S., I am totally at a loss to conceive: notwithstanding after what has passed, I cannot but consider Mr. S. as my irreconcilable enemy, yet this consideration never has, and I trust never will induce me to speak of his professional character, in any other terms than in those which I conceive it to merit.

J. H.

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S. Russell, Printer, Manchester.





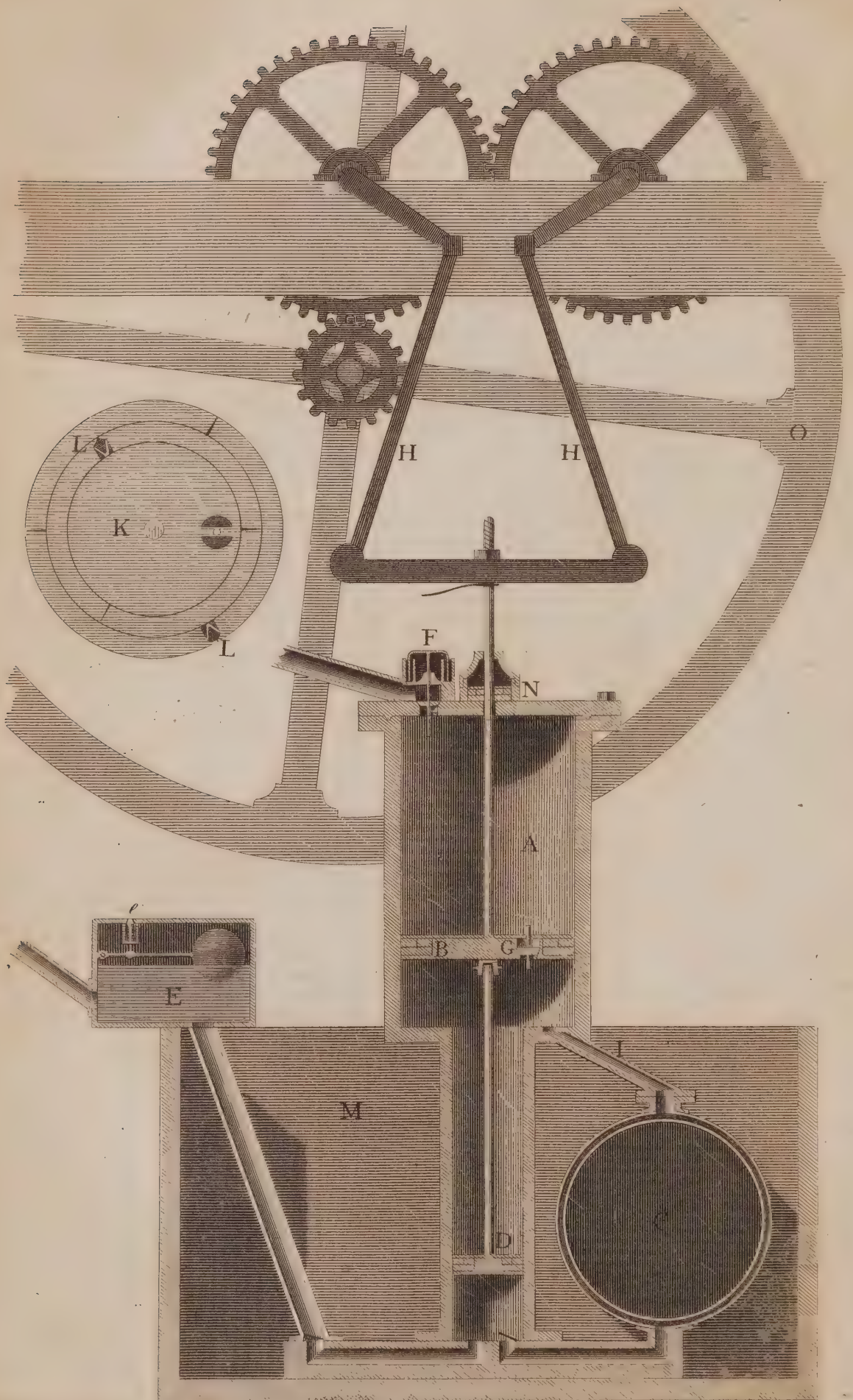






Fig. 3.

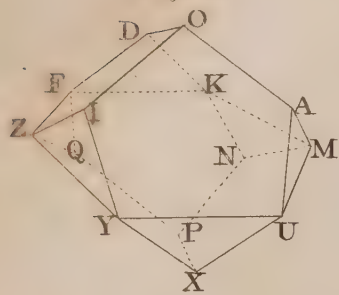


Fig. 2.

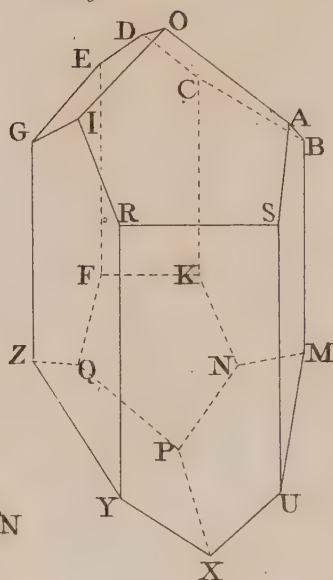


Fig. 1.

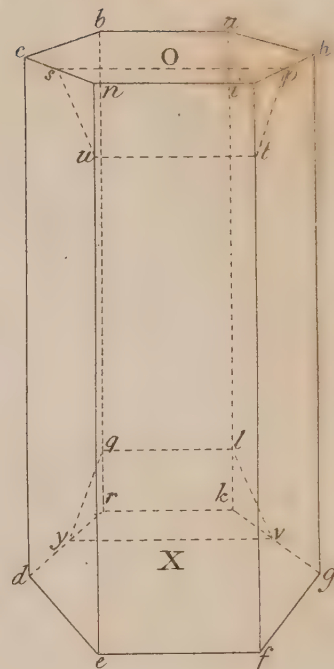


Fig. 5.

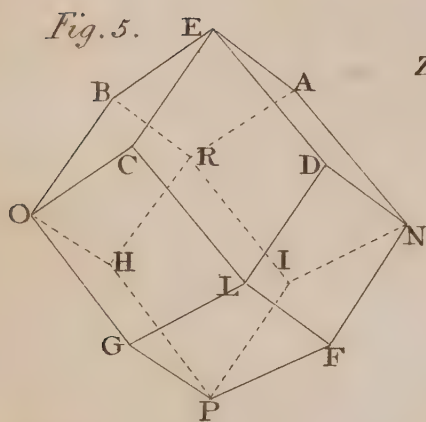


Fig. 7.

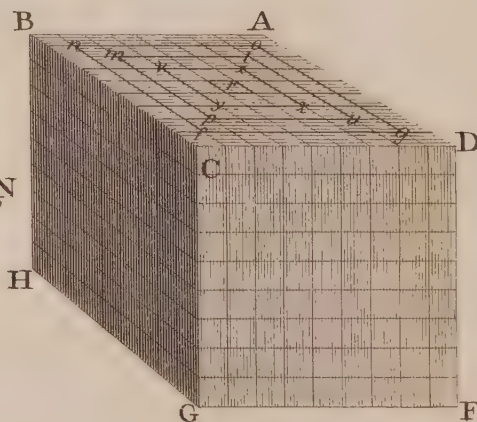


Fig. 6.

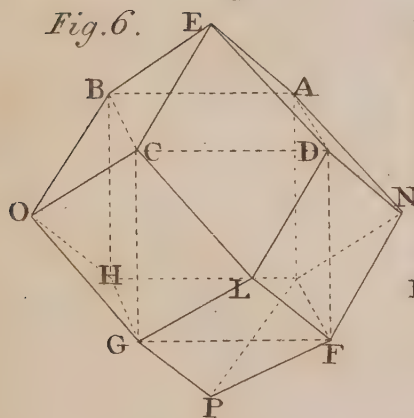


Fig. 4.

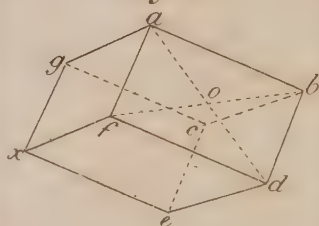


Fig. 13.

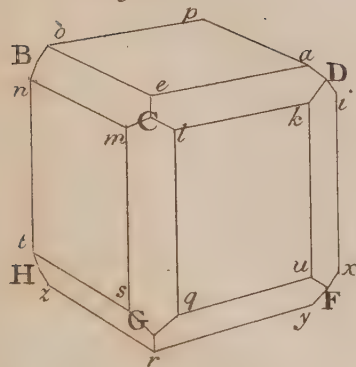


Fig. 12.

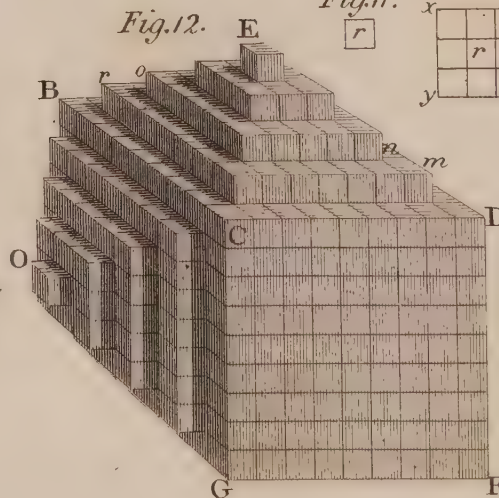


Fig. 11.

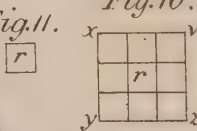


Fig. 10.

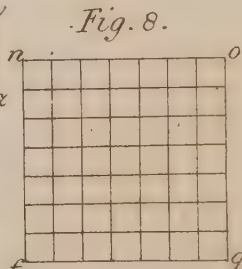
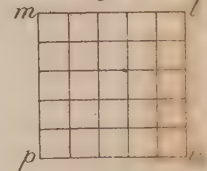


Fig. 8.

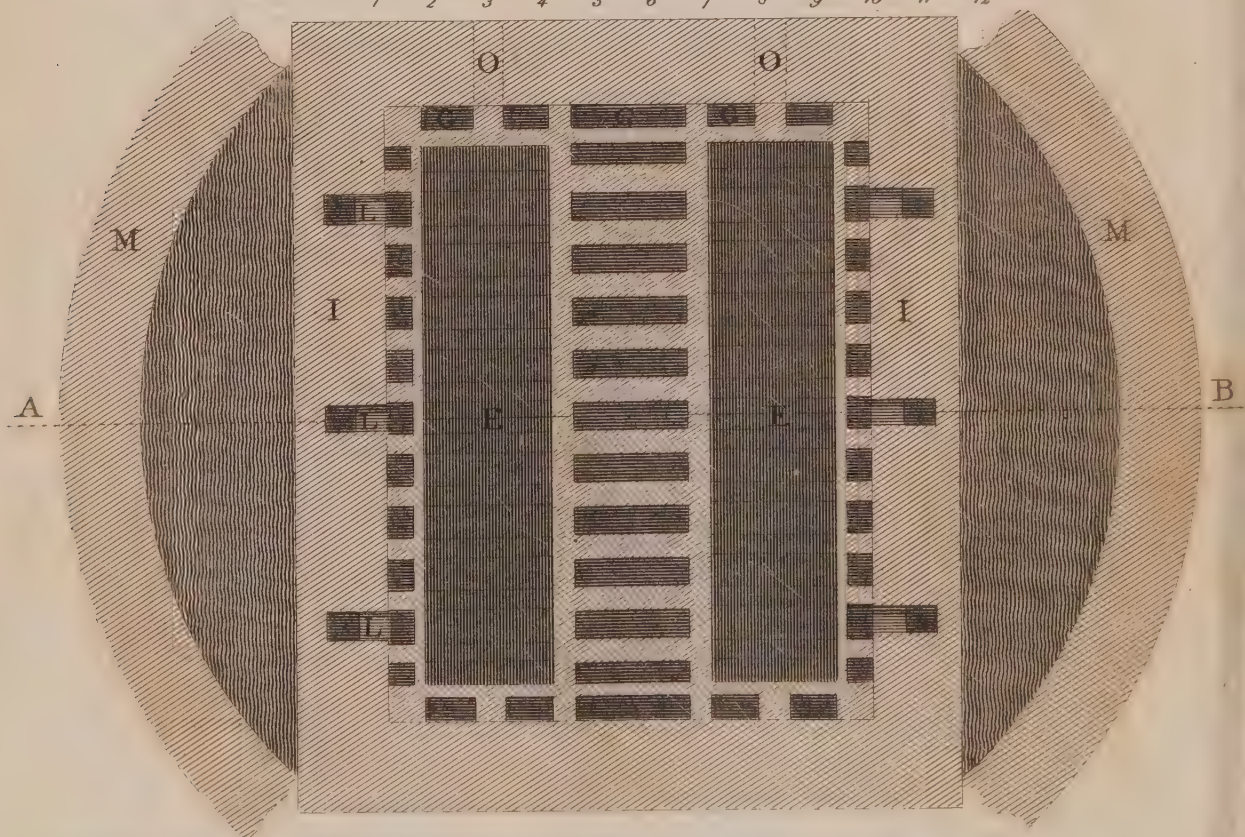
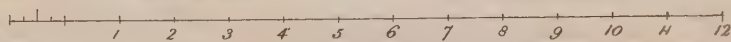
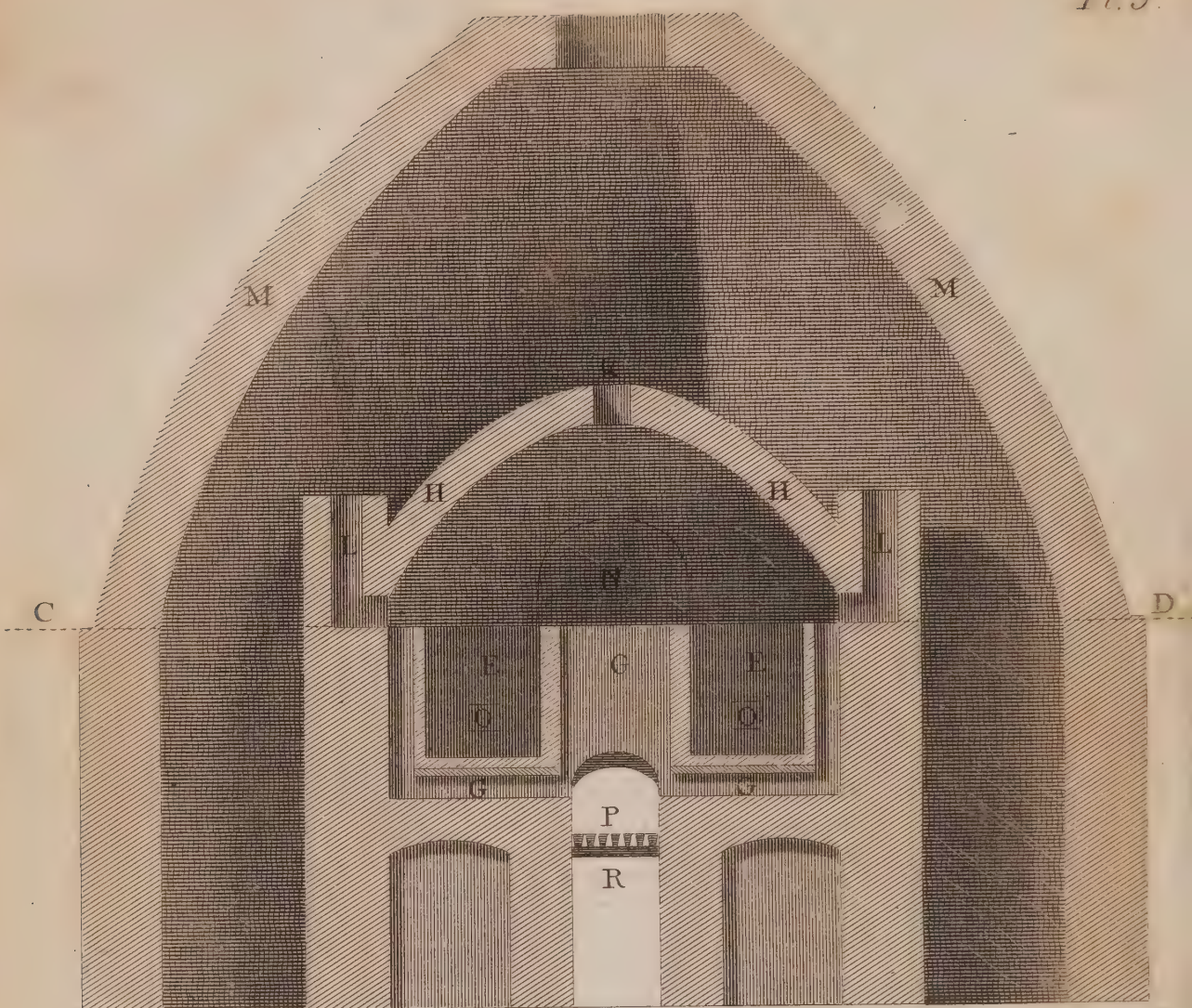
Fig. 9.



W. Lowry sculp.



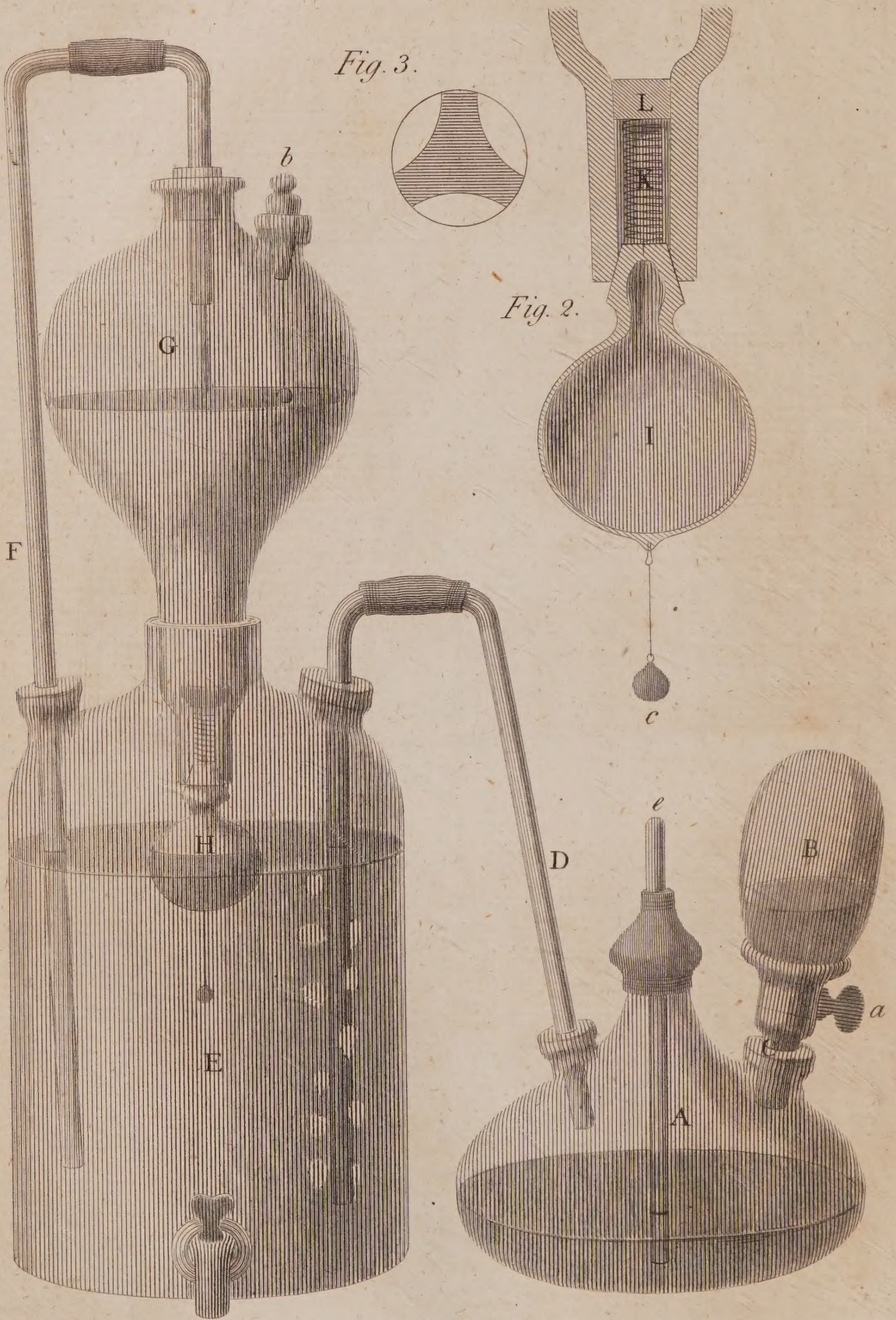












Drawn & Engraved by W. Lowry.

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